

REMARKS

Responsive to the election of species requirement, applicant hereby provisionally elects Hypericum as component B (and Zanthoxylum as component C), with traverse. Applicant believes that all of the claims read on the elected species.

The grounds for traverse are that the outstanding Official Action fails to satisfy the requirements of PCT Rules 13.1 and 13.2. PCT Rule 13.1 provides that an "international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept". PCT Rule 13.2 states that "where a group of inventions is claimed in one in the same international application, the requirement of unity in invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involved in one or more of the same or corresponding special technical features". PCT Rule 13.2 then defines the expression "special technical features" as those "technical features that define a contribution with each of the claimed inventions, considered as a whole, makes over the prior art".

Thus, PCT Rule 13.2 is art-based. As the Official Action fails to provide any evidence or prior art to satisfy this requirement, Applicant respectfully request that the election of species requirement and lack of unity determination be withdrawn.

Applicant respectfully requests a search and examination of all the claims 1-22 in their full scope. Claims 1-22 have been also amended to address several informalities. As the changes to the claims are limited to formal matters, no new matter has been added and submit that none of the changes to the claims are narrowing in nature.

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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